

AMENDED IN ASSEMBLY JUNE 2, 2009

AMENDED IN ASSEMBLY APRIL 1, 2009

AMENDED IN ASSEMBLY MARCH 5, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 52

Introduced by Assembly Member Portantino
(Coauthors: Assembly Members Block, Blumenfield, Buchanan,
and Price)

(Coauthors: Senators DeSaulnier, Leno, and Maldonado)

December 2, 2008

An act to amend Sections ~~1627, 1628, and 1630 of, 1627 and 1628 of, and to amend, repeal, and add Sections 102247, 103605, and 103625 of, and to add Sections 1627.5 and 1627.7 to, the Health and Safety Code, relating to umbilical cord blood banking, and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 52, as amended, Portantino. Umbilical Cord Blood Collection Program.

Existing law requires the State Department of Public Health to establish, by January 1, 2010, and until January 1, 2015, the Umbilical Cord Blood Collection Program for the purpose of increasing the amount of umbilical cord blood that is donated in the state and that will be added to the national inventory. Existing law authorizes the department, to the extent private or public funds are identified for this purpose, to contract with blood banks that are licensed or accredited to provide umbilical cord blood banking storage services, for the purpose of collecting and storing umbilical cord blood.

This bill would, instead, require the department to establish the Umbilical Cord Blood Collection Program from January 1, 2011, until January 1, ~~2020~~ 2015, for the purpose of collecting and storing umbilical cord blood for public use, as defined, for human transplantation and human research. The bill would require the department to contract with up to 5 entities, including blood banks that are licensed or accredited to provide umbilical cord blood banking storage services, to collect, and make available for transplant or medical research, umbilical cord blood.

~~The bill would also establish an implementing committee composed of specified members to develop policy recommendations for purposes of implementing the program.~~

~~The bill would require the department, in consultation with the implementing committee, to submit to the Governor and specified committees of the Legislature, 2 reports on the effectiveness of the program by January 1, 2013, and January 1, 2018, respectively, and would require the program to conclude no later than December 31, 2019.~~

Existing law provides that any funds made available for purposes of the program shall be deposited into the Umbilical Cord Blood Collection Program Fund. Existing law provides that moneys in the fund shall be available, upon appropriation by the Legislature, for purposes of the program. Existing law provides that the fund shall include any federal, state, and private funds made available for purposes of the program.

Existing law requires the collection of a \$7 fee for certified copies of birth certificates.

This bill would, instead, until January 1, ~~2020~~ 2015, require the collection of a ~~\$9~~ *an* \$8 fee for certified copies of birth certificates and require that ~~\$2~~ \$1 of any ~~\$9~~ \$8 fee be paid to the Umbilical Cord Blood Collection Program Fund. The bill would make other conforming changes.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. The Legislature finds and declares all of the~~
2 ~~following:~~

1 ~~(a) The umbilical cord and placenta are discarded as medical~~
2 ~~waste in a large majority of American births. However, the blood~~
3 ~~retrieved from the umbilical cord is rich in stem cells known as~~
4 ~~hematopoietic progenitor cells (HPCs) and can be used today to~~
5 ~~treat nine disorders and diseases. Clinical trials, which are currently~~
6 ~~at various stages, may reveal that umbilical cord blood could be~~
7 ~~used to treat many other disorders and diseases. These disorders~~
8 ~~and diseases include: (1) blood cancers such as leukemia, myeloma,~~
9 ~~and lymphoma; (2) immunodeficiencies and genetic diseases,~~
10 ~~including sickle cell anemia, thalassemia, and inherited marrow~~
11 ~~failure disorders; and (3) inherited disorders or errors of~~
12 ~~metabolism.~~

13 ~~(b) Umbilical cord blood has been used in about 8,000~~
14 ~~transplants since 1988 and has many benefits over bone marrow.~~
15 ~~The donation procedure, conducted after birth, is painless, quick,~~
16 ~~and risk free for the mother and newborn baby.~~

17 ~~(c) The National Marrow Donor Program has the largest registry~~
18 ~~in the United States that can be searched for a marrow or umbilical~~
19 ~~cord blood match when stem cell transplants are needed. In order~~
20 ~~to find the best tissue match for optimal transplant outcome, genetic~~
21 ~~diversity is needed since a patient's most likely match is someone~~
22 ~~of the same heritage. According to the National Marrow Donor~~
23 ~~Program, over 10,000 children and adults in the United States~~
24 ~~would benefit from a transplant from someone unrelated to them,~~
25 ~~but only 25 percent actually receive one. This is, in part, due to~~
26 ~~the lack of acceptable stem cell sources.~~

27 ~~(d) Finding a marrow or blood donor match is challenging for~~
28 ~~people of all races. Only 30 percent of patients in need of a marrow~~
29 ~~or an umbilical cord blood transplant find a matched donor in their~~
30 ~~family. The other 70 percent search registries for an unrelated~~
31 ~~donor or umbilical cord blood units. Finding a match is particularly~~
32 ~~difficult for people of color, including people of multiracial~~
33 ~~ancestry, because they are underrepresented in the national~~
34 ~~inventory. Many of these patients die while waiting for a transplant.~~

35 ~~(e) Because most national health and medical organizations do~~
36 ~~not recommend private umbilical cord blood banking unless there~~
37 ~~are known health reasons, it is not the intent of the Legislature to~~
38 ~~collect umbilical cord blood for private use.~~

39 ~~(f) The Institute of Medicine of the National Academies' report~~
40 ~~"Cord Blood: Establishing a National Hematopoietic Stem Cell~~

1 Bank Program” (2005) calls for an increase in the volume and
2 genetic diversity of umbilical cord blood public bank inventory.
3 This report was the basis for establishing the national Stem Cell
4 Therapeutic and Research Act of 2005 which provides for the
5 collection and maintenance of human umbilical cord blood stem
6 cells for the treatment of patients and research. This act dedicated
7 funds for this purpose.

8 (g) California has been a leader in umbilical cord blood
9 transplant research through a number of previous projects including
10 a sibling donor pilot project, through participation in the national
11 study, and through its current involvement in the national cord
12 blood program.

13 (h) The national cord blood program has a goal of collecting
14 150,000 genetically diverse units in order to increase the best
15 chances of tissue matches. Due to a low supply of ethnically diverse
16 umbilical cord blood the program has specified target collection
17 goals for specific ethnicities, including, but not limited to, Native
18 American, Latino, African American, and Asian populations, and
19 persons of multiracial ethnicities.

20 (i) California is uniquely situated to add volumes of genetically
21 diverse, high-quality umbilical cord blood units for public banking
22 because of its high birth rate of more than 550,000 births per year
23 and ethnically diverse population. This contribution will not only
24 serve the health needs of California constituents, but can contribute
25 to the national and international umbilical cord blood inventory
26 efforts.

27 (j) An increase in stem cell transplants is also cost effective. It
28 will save the state, insurers, donors, and patients significant moneys
29 now being spent on lifetime medical treatments and relieve ongoing
30 pain and anguish of affected patients and their families.

31 ~~SEC. 2.~~

32 *SECTION 1.* Section 1627 of the Health and Safety Code is
33 amended to read:

34 1627. (a) (1) On or before January 1, 2011, the State
35 Department of Public Health shall establish the Umbilical Cord
36 Blood Collection Program (hereafter program) for the purpose of
37 collecting and storing umbilical cord blood for public use for
38 human transplantation and human research. The program shall
39 conclude no later than December 31, ~~2019~~ 2014.

1 (2) For purposes of this article, “public use” means both of the
2 following:

3 (A) The collection of an inventory of genetically diverse
4 umbilical cord blood, for placement in the National Cord Blood
5 Inventory, to increase the likelihood of a patient obtaining a
6 suitable donor match.

7 (B) The use of research protocols approved by the Committee
8 for the Protection of Human Subjects or an institutional review
9 board, as defined in subdivision (e) of Section 125330, to further
10 the understanding of the use of umbilical cord blood as tissue to
11 treat human diseases.

12 ~~(b) In implementing this program, the department shall consider~~
13 ~~the policy recommendations of the implementing committee~~
14 ~~established pursuant to Section 1627.5.~~

15 (e)

16 (b) (1) In order to implement the program, the department shall
17 contract with up to five entities, including entities that are licensed
18 or accredited to provide umbilical cord blood collection and data
19 processing services, and entities that provide umbilical cord blood
20 banking storage services that are licensed or accredited pursuant
21 to Section 1604.6, to build an inventory of anonymous umbilical
22 cord blood units and make the inventory available for transplant
23 or medical research for purposes consistent with the public use,
24 as defined in paragraph (2) of subdivision (a). The department
25 shall ensure that any cord blood bank receiving funds through the
26 program also meets the federal requirements outlined in the C.W.
27 Bill Young Cell Transplantation Program (42 U.S.C. Sec. 274k et
28 seq.) so that all umbilical cord blood units collected can be listed
29 through the National Cord Blood Inventory. A medical provider
30 or research facility shall comply with, and shall be subject to
31 existing penalties for violations of, all state and federal laws with
32 respect to the protection of any medical information, as defined
33 in subdivision (g) of Section 56.05 of the Civil Code, and any
34 personally identifiable information contained in the umbilical cord
35 blood inventory.

36 (2) In selecting qualified entities under this subdivision, the
37 following shall apply:

38 (A) The department may use a competitive process to identify
39 qualified entities to administer the program.

1 (B) In order to qualify for selection under this section, an entity
2 shall have experience in blood collection, labeling, storage,
3 transportation, or distribution. The department shall select entities
4 with demonstrated ability to retrieve umbilical cord blood from
5 ethnically diverse communities.

6 ~~(d) The department, in conjunction with the implementing~~
7 ~~committee established pursuant to Section 1627.5, shall ensure~~
8 ~~that the program attempts to meet at least all of the following~~
9 ~~objectives:~~

10 ~~(1) Define and identify qualified umbilical cord blood collection~~
11 ~~entities.~~

12 ~~(2) Design a competitive process to identify qualified~~
13 ~~participants licensed or accredited to harvest umbilical cord blood~~
14 ~~in a manner that complies with state and federal regulations.~~

15 ~~(3) Establish criteria for determining which units of umbilical~~
16 ~~cord blood may be used for research versus transplantation, and~~
17 ~~establish policy addressing circumstances under which umbilical~~
18 ~~cord blood may be used for either purpose.~~

19 ~~(4) Create collection targets for ethnically diverse populations~~
20 ~~in accordance with identified deficiencies in inventories.~~

21 ~~(5) Consider a medical contingency response program to prepare~~
22 ~~for, and respond effectively to, biological, chemical, or radiological~~
23 ~~attacks, and other public health emergencies requiring treatment~~
24 ~~with umbilical cord blood.~~

25 ~~(6) Develop a public awareness campaign that includes, but is~~
26 ~~not limited to, activities described in Section 123370.~~

27 ~~(7) Increase hospital participation in collection and storage~~
28 ~~efforts, and identify funding sources to offset the financial impact~~
29 ~~on hospitals.~~

30 ~~(8) Determine whether the program will require training of~~
31 ~~health care providers relative to handling, labeling, transporting,~~
32 ~~and storing umbilical cord blood.~~

33 ~~(9) Determine policy on obtaining patient consent and timing~~
34 ~~of consent in relation to existing law and standards of care.~~

35 ~~(10) Determine whether current law and guidelines applicable~~
36 ~~to donor confidentiality and security of donor information are~~
37 ~~sufficient and, if they are insufficient, what additional requirements~~
38 ~~or guidelines are necessary.~~

39 ~~(11) Determine whether a sibling donor component would help~~
40 ~~achieve the overall inventory goals of the program.~~

1 ~~(12) Explore feasibility of operating the Umbilical Cord Blood~~
2 ~~Collection Program as a self-funding program.~~

3 ~~(13) Ensure that California's Umbilical Cord Blood Collection~~
4 ~~Program does not conflict with other state, national, and~~
5 ~~international efforts to generate an adequate inventory of~~
6 ~~high-quality umbilical cord blood.~~

7 ~~(e)~~

8 ~~(c)~~ In implementing the program, the department shall make
9 every effort to avoid duplication or conflicts with existing and
10 ongoing programs and to leverage existing resources. The
11 department shall use its existing authority to promote the collection,
12 storage, retrieval, and distribution of umbilical cord blood and
13 advise the Legislature of its needs to accomplish these goals.

14 ~~(f)~~

15 ~~(d)~~ (1) All information collected pursuant to the program shall
16 be confidential, and shall be used solely for the purposes of the
17 program. Access to confidential information shall be limited to
18 authorized persons who agree, in writing, to maintain the
19 confidentiality of that information.

20 (2) Any person who, in violation of a written agreement to
21 maintain confidentiality, discloses any information provided
22 pursuant to this section, or who uses information provided pursuant
23 to this section in a manner other than as approved pursuant to this
24 section, may be denied further access to any confidential
25 information maintained by the department, and shall be subject to
26 a civil penalty not exceeding one thousand dollars (\$1,000). The
27 penalty provided for in this section shall not be construed to limit
28 or otherwise restrict any remedy, provisional or otherwise, provided
29 by law for the benefit of the department or any other person
30 covered by this section.

31 (3) Notwithstanding the restrictions of this section, an individual
32 to whom the confidential information pertains shall have access
33 to his or her own personal information.

34 ~~SEC. 3. Section 1627.5 is added to the Health and Safety Code,~~
35 ~~to read:~~

36 ~~1627.5. (a) There shall be established, within the State~~
37 ~~Department of Public Health, an implementing committee to~~
38 ~~provide guidance and policy suggestions to the department on the~~
39 ~~implementation of the Umbilical Cord Blood Collection Program~~
40 ~~established pursuant to Section 1627.~~

~~(b) (1) The implementing committee shall be composed of 15 members. The committee shall include representatives with expertise and experience in all aspects of umbilical cord collection and storage. On or before March 1, 2011, the Governor, the Senate Committee on Rules, and the Speaker of the Assembly shall each appoint five members of the implementing committee.~~

~~(2) The implementing committee shall include all of the following:~~

~~(A) Two representatives of blood banks licensed or accredited to provide umbilical cord blood services.~~

~~(B) A representative of a stem cell transplant center that uses umbilical cord blood.~~

~~(C) Two representatives from hospitals providing labor and delivery services, including one representative from a large hospital system and one representative from an independent hospital. At least one representative shall represent a hospital currently participating in umbilical cord blood collections.~~

~~(D) Three physicians of different practice types or geographical regions. One physician shall have expertise in umbilical cord blood transplantation, one physician shall have expertise in obstetrics or gynecology, and one shall have expertise in oncology, hematology, or a pediatric specialty that treats children with anemia, immune disorders, or cancers that may be treated with stem cell transplantation.~~

~~(E) A patient or relative of a patient who has received transplants using umbilical cord blood.~~

~~(F) A previous donor of umbilical cord blood or a person who has searched or has been involved in searching for an unrelated donor of umbilical cord blood.~~

~~(G) A person with expertise in typing, matching, and transplant outcome data analysis.~~

~~(H) A scientist with expertise in stem cell biology.~~

~~(I) Two representatives of organizations focusing on medical conditions that involve umbilical cord blood treatments or ethnic or racial health disparities.~~

~~(J) A health plan medical director.~~

~~(e) Implementing committee members shall serve without compensation, except that members shall be reimbursed for authorized travel costs and expenses.~~

1 ~~(d) For purposes of implementing the program established~~
2 ~~pursuant to Section 1627, the implementing committee, by January~~
3 ~~1, 2012, shall make initial policy recommendations to the~~
4 ~~Legislature, the Assembly and Senate Health Committees, the~~
5 ~~Assembly and Senate Judiciary Committees, the Governor, and~~
6 ~~the department on meeting the objectives contained in subdivision~~
7 ~~(d) of Section 1627.~~

8 ~~SEC. 4. Section 1627.7 is added to the Health and Safety Code,~~
9 ~~to read:~~

10 ~~1627.7. The department, in consultation with the implementing~~
11 ~~committee established pursuant to Section 1627.5, shall submit~~
12 ~~two reports to the Assembly and Senate Health Committees, the~~
13 ~~Assembly and Senate Judiciary Committees, and the Governor on~~
14 ~~the effectiveness of the program. The first report shall be submitted~~
15 ~~no later than January 1, 2013, and the second report no later than~~
16 ~~January 1, 2018.~~

17 ~~SEC. 5.~~

18 ~~SEC. 2. Section 1628 of the Health and Safety Code is amended~~
19 ~~to read:~~

20 ~~1628. (a) The department may accept public and private funds~~
21 ~~for the purpose of implementing this article.~~

22 ~~(b) Any funds made available for purposes of this article,~~
23 ~~including fees collected pursuant to Section 103625, shall be~~
24 ~~deposited into the Umbilical Cord Blood Collection Program Fund,~~
25 ~~which is hereby created in the State Treasury. Moneys in the fund~~
26 ~~shall be available, upon appropriation by the Legislature, for~~
27 ~~purposes of this article.~~

28 ~~(c) The fund shall include any federal, state, and private funds~~
29 ~~made available for purposes of the program, including, but not~~
30 ~~limited to, the fees collected for the fund pursuant to Section~~
31 ~~103625, and, notwithstanding Section 16305.7 of the Government~~
32 ~~Code, any interest earned on moneys in the fund.~~

33 ~~SEC. 6. Section 1630 of the Health and Safety Code is amended~~
34 ~~to read:~~

35 ~~1630. This article shall remain in effect only until January 1,~~
36 ~~2020, and as of that date is repealed, unless a later enacted statute,~~
37 ~~that is enacted before January 1, 2020, deletes or extends that date.~~

38 ~~SEC. 7.~~

39 ~~SEC. 3. Section 102247 of the Health and Safety Code is~~
40 ~~amended to read:~~

1 102247. (a) There is hereby created in the State Treasury the
2 Health Statistics Special Fund. The fund shall consist of revenues,
3 including, but not limited to, all of the following:

4 (1) Fees or charges remitted to the State Registrar for record
5 search or issuance of certificates, permits, registrations, or other
6 documents pursuant to Chapter 3 (commencing with Section
7 26801) of Part 3 of Division 2 of Title 3 of the Government Code,
8 and Chapter 4 (commencing with Section 102525), Chapter 5
9 (commencing with Section 102625), Chapter 8 (commencing with
10 Section 103050), and Chapter 15 (commencing with Section
11 103600) of Part 1 of Division 102.

12 (2) Funds remitted to the State Registrar by the federal Social
13 Security Administration for participation in the enumeration at
14 birth program.

15 (3) Funds remitted to the State Registrar by the National Center
16 for Health Statistics pursuant to the federal Vital Statistics
17 Cooperative Program.

18 (4) Any other funds collected by the State Registrar, except
19 Children's Trust Fund fees collected pursuant to Section 18966 of
20 the Welfare and Institutions Code, Umbilical Cord Blood
21 Collection Program Fund fees collected pursuant to Section 1628,
22 fees allocated to the Judicial Council pursuant to Section 1852 of
23 the Family Code, and fees collected pursuant to Section 103645,
24 all of which shall be deposited into the General Fund.

25 (b) Moneys in the Health Statistics Special Fund shall be
26 expended by the State Registrar for the purpose of funding its
27 existing programs and programs that may become necessary to
28 carry out its mission, upon appropriation by the Legislature.

29 (c) Health Statistics Special Fund moneys shall be expended
30 only for the purposes set forth in this section and Section 102249,
31 and shall not be expended for any other purpose or for any other
32 state program.

33 (d) It is the intent of the Legislature that the Health Statistics
34 Special Fund provide for the following:

35 (1) Registration and preservation of vital event records and
36 dissemination of vital event information to the public.

37 (2) Data analysis of vital statistics for population projections,
38 health trends and patterns, epidemiologic research, and
39 development of information to support new health policies.

1 (3) Development of uniform health data systems that are
2 integrated, accessible, and useful in the collection of information
3 on health status.

4 (e) This section shall remain in effect only until January 1, ~~2020~~
5 2015, and as of that date is repealed, unless a later enacted statute,
6 that is enacted before January 1, ~~2020~~ 2015, deletes or extends
7 that date.

8 ~~SEC. 8.~~

9 *SEC. 4.* Section 102247 is added to the Health and Safety Code,
10 to read:

11 102247. (a) There is hereby created in the State Treasury the
12 Health Statistics Special Fund. The fund shall consist of revenues,
13 including, but not limited to, all of the following:

14 (1) Fees or charges remitted to the State Registrar for record
15 search or issuance of certificates, permits, registrations, or other
16 documents pursuant to Chapter 3 (commencing with Section
17 26801) of Part 3 of Division 2 of Title 3 of the Government Code,
18 and Chapter 4 (commencing with Section 102525), Chapter 5
19 (commencing with Section 102625), Chapter 8 (commencing with
20 Section 103050), and Chapter 15 (commencing with Section
21 103600) of Part 1 of Division 102.

22 (2) Funds remitted to the State Registrar by the federal Social
23 Security Administration for participation in the enumeration at
24 birth program.

25 (3) Funds remitted to the State Registrar by the National Center
26 for Health Statistics pursuant to the federal Vital Statistics
27 Cooperative Program.

28 (4) Any other funds collected by the State Registrar, except
29 Children's Trust Fund fees collected pursuant to Section 18966 of
30 the Welfare and Institutions Code, fees allocated to the Judicial
31 Council pursuant to Section 1852 of the Family Code, and fees
32 collected pursuant to Section 103645, all of which shall be
33 deposited into the General Fund.

34 (b) Moneys in the Health Statistics Special Fund shall be
35 expended by the State Registrar for the purpose of funding its
36 existing programs and programs that may become necessary to
37 carry out its mission, upon appropriation by the Legislature.

38 (c) Health Statistics Special Fund moneys shall be expended
39 only for the purposes set forth in this section and Section 102249,

1 and shall not be expended for any other purpose or for any other
2 state program.

3 (d) It is the intent of the Legislature that the Health Statistics
4 Special Fund provide for the following:

5 (1) Registration and preservation of vital event records and
6 dissemination of vital event information to the public.

7 (2) Data analysis of vital statistics for population projections,
8 health trends and patterns, epidemiologic research, and
9 development of information to support new health policies.

10 (3) Development of uniform health data systems that are
11 integrated, accessible, and useful in the collection of information
12 on health status.

13 (e) This section shall become operative on January 1, ~~2020~~
14 ~~2015~~.

15 ~~SEC. 9.~~

16 *SEC. 5.* Section 103605 of the Health and Safety Code is
17 amended to read:

18 103605. (a) The money collected by the State Registrar shall
19 be deposited with the Treasurer for credit to the Health Statistics
20 Special Fund, except for the Children's Trust Fund fees collected
21 pursuant to Section 18966 of the Welfare and Institutions Code,
22 the Umbilical Cord Blood Collection Program Fund fees collected
23 pursuant to Section 1628, the fees allocated to the Judicial Council
24 pursuant to Section 1852 of the Family Code, and the fees collected
25 pursuant to Section 103645, all of which shall be deposited in the
26 General Fund.

27 (b) This section shall remain in effect only until January 1, ~~2020~~
28 ~~2015~~, and as of that date is repealed, unless a later enacted statute,
29 that is enacted before January 1, ~~2020~~ ~~2015~~, deletes or extends
30 that date.

31 ~~SEC. 10.~~

32 *SEC. 6.* Section 103605 is added to the Health and Safety Code,
33 to read:

34 103605. (a) The money collected by the State Registrar shall
35 be deposited with the Treasurer for credit to the Health Statistics
36 Special Fund, except for the Children's Trust Fund fees collected
37 pursuant to Section 18966 of the Welfare and Institutions Code,
38 the fees allocated to the Judicial Council pursuant to Section 1852
39 of the Family Code, and the fees collected pursuant to Section
40 103645, all of which shall be deposited in the General Fund.

(b) This section shall become operative on January 1, 2020
2015.

~~SEC. 11.~~

SEC. 7. Section 103625 of the Health and Safety Code is
amended to read:

103625. (a) A fee of three dollars (\$3) shall be paid by the
applicant for a certified copy of a fetal death or death record.

(b) (1) A fee of three dollars (\$3) shall be paid by a public
agency or licensed private adoption agency applicant for a certified
copy of a birth certificate that the agency is required to obtain in
the ordinary course of business. A fee of ~~nine dollars (\$9)~~ *eight
dollar (\$8)* shall be paid by any other applicant for a certified copy
of a birth certificate. Four dollars (\$4) of any ~~nine-dollar (\$9)
eight-dollar (\$8)~~ fee is exempt from subdivision (e) and shall be
paid either to a county children's trust fund or to the State
Children's Trust Fund, in conformity with Article 5 (commencing
with Section 18965) of Chapter 11 of Part 6 of Division 9 of the
Welfare and Institutions Code. ~~Two dollars (\$2) of any nine-dollar
(\$9)~~ *One dollar of any eight-dollar (\$8)* fee is exempt from
subdivision (e) and shall be paid to the Umbilical Cord Blood
Collection Program Fund in conformity with Section 1628.

(2) The board of supervisors of any county that has established
a county children's trust fund may increase the fee for a certified
copy of a birth certificate by up to three dollars (\$3) for deposit in
the county children's trust fund in conformity with Article 5
(commencing with Section 18965) of Chapter 11 of Part 6 of
Division 9 of the Welfare and Institutions Code.

(c) A fee of three dollars (\$3) shall be paid by a public agency
applicant for a certified copy of a marriage record, that has been
filed with the county recorder or county clerk, that the agency is
required to obtain in the ordinary course of business. A fee of six
dollars (\$6) shall be paid by any other applicant for a certified
copy of a marriage record that has been filed with the county
recorder or county clerk. Three dollars (\$3) of any six-dollar (\$6)
fee is exempt from subdivision (e) and shall be transmitted monthly
by each local registrar, county recorder, and county clerk to the
state for deposit into the General Fund as provided by Section
1852 of the Family Code.

(d) A fee of three dollars (\$3) shall be paid by a public agency
applicant for a certified copy of a marriage dissolution record

1 obtained from the State Registrar that the agency is required to
2 obtain in the ordinary course of business. A fee of six dollars (\$6)
3 shall be paid by any other applicant for a certified copy of a
4 marriage dissolution record obtained from the State Registrar.

5 (e) Each local registrar, county recorder, or county clerk
6 collecting a fee pursuant to subdivisions (a) to (d), inclusive, shall
7 transmit 15 percent of the fee for each certified copy to the State
8 Registrar by the 10th day of the month following the month in
9 which the fee was received.

10 (f) In addition to the fees prescribed pursuant to subdivisions
11 (a) to (d), inclusive, all applicants for certified copies of the records
12 described in those subdivisions shall pay an additional fee of three
13 dollars (\$3), that shall be collected by the State Registrar, the local
14 registrar, county recorder, or county clerk, as the case may be.

15 (g) The local public official charged with the collection of the
16 additional fee established pursuant to subdivision (f) may create
17 a local vital and health statistics trust fund. The fees collected by
18 local public officials pursuant to subdivision (f) shall be distributed
19 as follows:

20 (1) Forty-five percent of the fee collected pursuant to subdivision
21 (f) shall be transmitted to the State Registrar.

22 (2) The remainder of the fee collected pursuant to subdivision
23 (f) shall be deposited into the collecting agency's vital and health
24 statistics trust fund, except that in any jurisdiction in which a local
25 vital and health statistics trust fund has not been established, the
26 entire amount of the fee collected pursuant to subdivision (f) shall
27 be transmitted to the State Registrar.

28 (3) Moneys transmitted to the State Registrar pursuant to this
29 subdivision shall be deposited in accordance with Section 102247.

30 (h) Moneys in each local vital and health statistics trust fund
31 shall be available to the local official charged with the collection
32 of fees pursuant to subdivision (f) for the applicable jurisdiction
33 for the purpose of defraying the administrative costs of collecting
34 and reporting with respect to those fees and for other costs as
35 follows:

36 (1) Modernization of vital record operations, including
37 improvement, automation, and technical support of vital record
38 systems.

(2) Improvement in the collection and analysis of health-related birth and death certificate information, and other community health data collection and analysis, as appropriate.

(i) Funds collected pursuant to subdivision (f) shall not be used to supplant funding in existence on January 1, 2002, that is necessary for the daily operation of vital record systems. It is the intent of the Legislature that funds collected pursuant to subdivision (f) be used to enhance service to the public, to improve analytical capabilities of state and local health authorities in addressing the health needs of newborn children and maternal health problems, and to analyze the health status of the general population.

(j) Each county shall annually submit a report to the State Registrar by March 1 containing information on the amount of revenues collected pursuant to subdivision (f) in the previous calendar year and on how the revenues were expended and for what purpose.

(k) Each local registrar, county recorder, or county clerk collecting the fee pursuant to subdivision (f) shall transmit 45 percent of the fee for each certified copy to which subdivision (f) applies to the State Registrar by the 10th day of the month following the month in which the fee was received.

(l) The additional three dollars (\$3) authorized to be charged to applicants other than public agency applicants for certified copies of marriage records by subdivision (c) may be increased pursuant to Section 114.

(m) In providing for the expiration of the surcharge on birth certificate fees on June 30, 1999, the Legislature intends that juvenile dependency mediation programs pursue ancillary funding sources after that date.

(n) This section shall remain in effect only until January 1, ~~2020~~ 2015, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, ~~2020~~ 2015, deletes or extends that date.

~~SEC. 12.~~

SEC. 8. Section 103625 is added to the Health and Safety Code, to read:

103625. (a) A fee of three dollars (\$3) shall be paid by the applicant for a certified copy of a fetal death or death record.

(b) (1) A fee of three dollars (\$3) shall be paid by a public agency or licensed private adoption agency applicant for a certified

1 copy of a birth certificate that the agency is required to obtain in
2 the ordinary course of business. A fee of seven dollars (\$7) shall
3 be paid by any other applicant for a certified copy of a birth
4 certificate. Four dollars (\$4) of any seven-dollar (\$7) fee is exempt
5 from subdivision (e) and shall be paid either to a county children's
6 trust fund or to the State Children's Trust Fund, in conformity with
7 Article 5 (commencing with Section 18965) of Chapter 11 of Part
8 6 of Division 9 of the Welfare and Institutions Code.

9 (2) The board of supervisors of any county that has established
10 a county children's trust fund may increase the fee for a certified
11 copy of a birth certificate by up to three dollars (\$3) for deposit in
12 the county children's trust fund in conformity with Article 5
13 (commencing with Section 18965) of Chapter 11 of Part 6 of
14 Division 9 of the Welfare and Institutions Code.

15 (c) A fee of three dollars (\$3) shall be paid by a public agency
16 applicant for a certified copy of a marriage record, that has been
17 filed with the county recorder or county clerk, that the agency is
18 required to obtain in the ordinary course of business. A fee of six
19 dollars (\$6) shall be paid by any other applicant for a certified
20 copy of a marriage record that has been filed with the county
21 recorder or county clerk. Three dollars (\$3) of any six-dollar (\$6)
22 fee is exempt from subdivision (e) and shall be transmitted monthly
23 by each local registrar, county recorder, and county clerk to the
24 state for deposit into the General Fund as provided by Section
25 1852 of the Family Code.

26 (d) A fee of three dollars (\$3) shall be paid by a public agency
27 applicant for a certified copy of a marriage dissolution record
28 obtained from the State Registrar that the agency is required to
29 obtain in the ordinary course of business. A fee of six dollars (\$6)
30 shall be paid by any other applicant for a certified copy of a
31 marriage dissolution record obtained from the State Registrar.

32 (e) Each local registrar, county recorder, or county clerk
33 collecting a fee pursuant to subdivisions (a) to (d), inclusive, shall
34 transmit 15 percent of the fee for each certified copy to the State
35 Registrar by the 10th day of the month following the month in
36 which the fee was received.

37 (f) In addition to the fees prescribed pursuant to subdivisions
38 (a) to (d), inclusive, all applicants for certified copies of the records
39 described in those subdivisions shall pay an additional fee of three

1 dollars (\$3), that shall be collected by the State Registrar, the local
2 registrar, county recorder, or county clerk, as the case may be.

3 (g) The local public official charged with the collection of the
4 additional fee established pursuant to subdivision (f) may create
5 a local vital and health statistics trust fund. The fees collected by
6 local public officials pursuant to subdivision (f) shall be distributed
7 as follows:

8 (1) Forty-five percent of the fee collected pursuant to subdivision
9 (f) shall be transmitted to the State Registrar.

10 (2) The remainder of the fee collected pursuant to subdivision
11 (f) shall be deposited into the collecting agency's vital and health
12 statistics trust fund, except that in any jurisdiction in which a local
13 vital and health statistics trust fund has not been established, the
14 entire amount of the fee collected pursuant to subdivision (f) shall
15 be transmitted to the State Registrar.

16 (3) Moneys transmitted to the State Registrar pursuant to this
17 subdivision shall be deposited in accordance with Section 102247.

18 (h) Moneys in each local vital and health statistics trust fund
19 shall be available to the local official charged with the collection
20 of fees pursuant to subdivision (f) for the applicable jurisdiction
21 for the purpose of defraying the administrative costs of collecting
22 and reporting with respect to those fees and for other costs as
23 follows:

24 (1) Modernization of vital record operations, including
25 improvement, automation, and technical support of vital record
26 systems.

27 (2) Improvement in the collection and analysis of health-related
28 birth and death certificate information, and other community health
29 data collection and analysis, as appropriate.

30 (i) Funds collected pursuant to subdivision (f) shall not be used
31 to supplant funding in existence on January 1, 2002, that is
32 necessary for the daily operation of vital record systems. It is the
33 intent of the Legislature that funds collected pursuant to subdivision
34 (f) be used to enhance service to the public, to improve analytical
35 capabilities of state and local health authorities in addressing the
36 health needs of newborn children and maternal health problems,
37 and to analyze the health status of the general population.

38 (j) Each county shall annually submit a report to the State
39 Registrar by March 1 containing information on the amount of
40 revenues collected pursuant to subdivision (f) in the previous

1 calendar year and on how the revenues were expended and for
2 what purpose.

3 (k) Each local registrar, county recorder, or county clerk
4 collecting the fee pursuant to subdivision (f) shall transmit 45
5 percent of the fee for each certified copy to which subdivision (f)
6 applies to the State Registrar by the 10th day of the month
7 following the month in which the fee was received.

8 (l) The additional three dollars (\$3) authorized to be charged to
9 applicants other than public agency applicants for certified copies
10 of marriage records by subdivision (c) may be increased pursuant
11 to Section 114.

12 (m) In providing for the expiration of the surcharge on birth
13 certificate fees on June 30, 1999, the Legislature intends that
14 juvenile dependency mediation programs pursue ancillary funding
15 sources after that date.

16 (n) This section shall become operative on January 1, 2020
17 2015.

18 ~~SEC. 13.~~

19 *SEC. 9.* This act is an urgency statute necessary for the
20 immediate preservation of the public peace, health, or safety within
21 the meaning of Article IV of the Constitution and shall go into
22 immediate effect. The facts constituting the necessity are:

23 In order to fund efforts aimed at curing disorders and diseases
24 at the earliest possible time, it is necessary that this act take effect
25 immediately.